

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:07CR18</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>RAYMOND PICKETT, JR.,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court on the motion of defendant Raymond Pickett, Jr. (Pickett) to review detention (Filing No. 21 - Sealed). The court directed Pretrial Services to conduct an investigation of Pickett's proposed release plan and report to the court and counsel. Pretrial Services completed its investigation and has reported to the court and counsel. In his motion, Pickett requested an evidentiary hearing following the completion of the report.

The court held a hearing on the motion on April 19, 2007. Pickett was present with his counsel, Assistant Federal Public Defender Julie B. Hansen. The United States was represented by Assistant U.S. Attorney Thomas P. Kangior. The court took judicial notice of the Pretrial Services report and the supplemental Pretrial Services memorandum. Pickett's counsel proffered that Pickett's father in the Los Angeles area would serve as a third-party custodian and Pickett would adhere to electronic monitoring while residing with his parents. He further proffered he would obtain employment and seek substance abuse treatment if required by the court.

Pickett is charged with a drug conspiracy which carries a minimum sentence of five years imprisonment and a maximum of forty years imprisonment. As such, the rebuttable presumptions of 18 U.S.C. § 3142(e) apply. Pickett has a lengthy criminal history including two prior drug trafficking felonies in California. The first offense was initially diverted but later reinstated after he violated conditions of diversion. The second felony resulted in probation which was violated and Pickett served a prison sentence. He was paroled from that sentence but subsequently violated his parole and was required to finish his prison term. He has sporadic employment in California and resided with a girlfriend in Las Vegas

before his arrest in Hamilton County, Nebraska. His wife resides in California. Pickett owes over \$10,000 in child support for three children of prior relationships. Pickett professed to Pretrial Services that he has not used illegal drugs since he was 19, but he has four arrest for controlled substances violations, including “crack” cocaine, on his record.

The court finds Pickett to be a flight risk and danger to the community and that there are no conditions or combinations of conditions which would reasonably assure his presence for further proceedings or the safety of the community if he were released on conditions including those proposed in his motion.

Pickett’s motion to review detention (Filing No. 21 - Sealed) is denied.

**IT IS SO ORDERED.**

DATED this 19th day of April, 2007.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge